

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

DUSTIN MITCHELL, #02221593

§

§ Civil Action No. 4:18-CV-490

v.

§ (Judge Schell/Judge Nowak)

TEXAS DENTON COUNTY, ET AL.

§

§

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 13, 2021, the report and recommendation of the Magistrate Judge was entered (Dkt. 94), containing proposed findings of fact and recommendations that *pro se* Plaintiff Dustin Mitchell's civil rights lawsuit be dismissed under 28 U.S.C. § 1915. Specifically, the Magistrate Judge recommended that Plaintiff's claims against Defendants Denton County, Texas; Denton County Sheriff Tracy Murphree; Denton County District Attorney Paul Johnson; and Denton County Jail Sergeant FNU Cordell be dismissed. Having received the report of the Magistrate Judge, and no objections thereto having been timely filed to this report and recommendation, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that *pro se* Plaintiff Dustin Mitchell's civil rights lawsuit is **DISMISSED**. Plaintiff is advised that this dismissal counts as a strike under 28 U.S.C. § 1915.

IT IS SO ORDERED.

SIGNED this the 29th day of September, 2021.


RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE